

**LOCAL RULES OF THE
LAWRENCE CIRCUIT AND SUPERIOR COURT
CONCERNING CASE ASSIGNMENT**

RULE 1: Criminal Case Assignment

All felonies including those classified as Murder, Class A, Class B, and Class C, as well as those class D felonies which do not charge an alcohol or controlled substance offense, or a driving offense, shall be filed in equal proportion on a blind filing basis in all three courts through the Office of the Circuit Court Clerk. All class D felonies and misdemeanors charging an alcohol, controlled substance offense, or driving offense and all infractions and ordinance violations shall be filed in the Lawrence Superior Court, Division 2. All other misdemeanors shall be filed in the Lawrence Superior Court, Division 1. All initial filing determinations shall be made based on the basis of the most serious offense charged.

RULE 2: Transfer of Criminal Cases

The Judges of the Lawrence Circuit and Superior Courts, by appropriate order, may transfer and reassign to the other courts any pending case subject to the acceptance by the receiving court.

RULE 3: Re-filing and Subsequent Filing of Criminal Cases

When the State of Indiana dismisses a case and chooses to re-file that case or any case based on the same occurrence, the case shall be re-filed in the court from which the dismissal was taken. Further, in the event additional criminal charges are filed against a felony defendant at any time prior to sentencing, the additional charges shall be filed in the court in which there are already pending felony charges.

RULE 4: Change of Judge in Criminal Cases

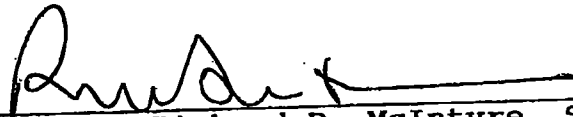
In the event the regular Judge of the court is disqualified, the case shall be assigned as follows: From the Judge of the Circuit Court to the Judge of Superior Court, Division 1; from the Judge of Superior Court, Division 1 to the Judge of Superior Court, Division 2; from the judge of Superior Court, Division 2 to the Judge of Circuit Court. In the event that all three regular Judges of the Lawrence Circuit and Superior Courts are disqualified, the case shall be assigned first to the judges of the Monroe Circuits, Division 1 through 6, then to the Judges of the Jackson Circuit and Superior Courts, then to the Judges of Washington Circuit and Superior Courts, then to the Judges of the Orange Circuit and Superior Courts, then to the Judge of the Martin Circuit Court, then to the Judges of the Greene Circuit Court and Superior Courts, all on a rotating basis in the preceding order.

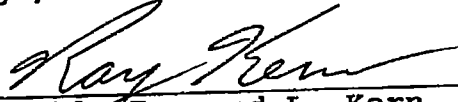
RULE 5: Civil and Other Case Assignment

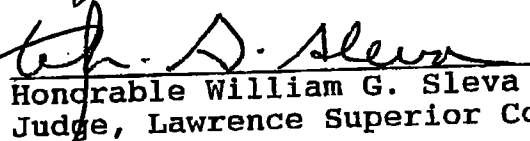
All Small Claims shall be filed in the Lawrence Superior Court, Division 2. All civil proceedings which are assigned a CP, CT, RS or MI cause number, and all dissolution proceedings shall be filed in the Lawrence Circuit Court and the Lawrence Superior Court, Division 1 on a rotating basis through the Clerk of the Lawrence Circuit Court. All mental health proceedings and protective orders shall be filed in the Lawrence Superior Court, Division 1. All probate, juvenile, guardianship, trust, adoption or Title IVD support collection matters shall be filed in the Lawrence Circuit Court.

The above rules shall be effective immediately upon approval of the Indiana Supreme Court and shall remain in effect until further joint order of the above Courts.

SO ORDERED this 4th day of March, 1997.


Honorable Richard D. McIntyre, Sr.
Judge, Lawrence Circuit Court


Honorable Raymond L. Kern
Judge, Lawrence Superior Court, 1


Honorable William G. Sleva
Judge, Lawrence Superior Court, 2